

## **Title 33: River and Waters**

### **Part 209: Regulation Controlling The Size, Location, Character, Appearance And Other Pertinent Features Of All Exterior Signs**

#### **Part 209 Chapter 1: Introduction and Definitions.**

*Introduction.* The following shall be known and cited as the Pearl River Valley Water Supply District Sign Regulations.

##### *Rule 1.1 Definitions.*

(a) *Abandoned Sign:* A sign which no longer advertises a bona fide business, lessor, on the premises where such sign is displayed.

(b) *Animated Sign:* Any sign which includes action or motion. For purposes of these Regulations, this term does not refer to flashing or changing, which is separately defined.

(c) *Background Area:* The entire area of a sign on which copy could be placed, not including permanent building surface.

(d) *Bench Sign:* An advertising message on any portion of a bus stop or other bench.

(e) *Billboard:* An outdoor advertising sign structure which advertises goods, products or services.

(f) *Board:* Board of Directors of Pearl River Valley Water Supply District.

(g) *Building Face or Wall:* All window and wall area of a building in one plane or elevation.

(h) *Canopy Sign:* A sign mounted on and supported by a canopy, or found on the side of, below the roof line, or hanging beneath the canopy, but in all cases mounted perpendicular to the building or primary direction of pedestrian travel.

(i) *Changeable Copy Sign (Manual):* A sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

(j) *Changing Sign (Automatic):* A sign such as an electronically or electrically controlled message center or reader board, where different copy changes are shown on the same lamp bank. No mechanical means.

(k) *Copy:* The wording or graphics on a sign surface.

(l) *District:* Pearl River Valley Water Supply District.

(m) *Double Faced Sign*: Sign with more than one face. If the angle formed between the backs of the signs is more than 90 degrees it shall constitute one sign for determination of sign area or size.

(n) *Erected*: This term shall mean attached, altered, built, constructed, reconstructed, enlarged or moved.

(o) *Face of Sign*: The entire area of sign on which copy could be placed. The area of a sign which is visible from one direction as projected on a plane.

(p) *Flashing Sign*: Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

(q) *Ground Level*: Average elevation of the ground within a radius of 20 feet from center point of the sign.

(r) *Ground Mounted Signs*: A sign erected on a free-standing frame, mast or pole, and not attached to any building.

(s) *Height of Sign*: The vertical distance measured from the surrounding grade to the highest point of the sign.

(t) *Illegal Sign*: A sign which contravenes this Ordinance, or a non-conforming sign for which a permit required under a previous Ordinance was not obtained.

(u) *Interior Property Line*: Property lines other than those forming a dedicated public right-of-way.

(v) *Interior Sign*: Signs inside a building. If the signs are legible from the street right-of-way, these signs shall be considered a regulated signs and subject to this Ordinance.

(w) *Logo*: Any pictorial or graphic representation that may be presented by itself or with verbiage to identify a business. Where used will be considered as a sign or part of a sign.

(x) *Lot of Record*: A lot is part of a subdivision, the map of which has been recorded in the office of the Chancery Clerk of the appropriate county.

(y) *Marquee Sign*: A wall sign mounted on a permanent roof like projection over the entry to an establishment.

(z) *Multi-tenant Sign*: Ground mounted sign with name of building or development at top and name of businesses or tenants below.

(aa) *Non-Conforming Sign*: A sign existing prior to enactment of this Ordinance which does not meet all requirements of this Ordinance. If a permit is obtained this will be a legal non-conforming sign.

(bb) *Non-Regulated Sign*: Signs not visible from a street right-of-way.

(cc) *Off Premises Sign*: A sign which advertises an activity, business, product or service not conducted on the premises on which the sign is located.

(dd) *Outdoor Advertising*: See "Billboard."

(ee) *Owner*: A person recorded as such on official records and including duly authorized agent, a purchaser, devisee, fiduciary representative; any person having a vested or contingent interest in the property in question, lessee or tenant. If the owner of the sign cannot be determined to be separate from the lessee of the land from the District, then the current lessee of record shall be the "land owner" for purposes of this Ordinance.

(ff) *Premises*: An area of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

(gg) *Right-of-way (R.O.W.)*: Shall be the proposed right-of-way indicated on the official District Development Standards and Guidelines of the Pearl River Valley Water Supply District.

(hh) *Roof Line*: The lowest edge of the main roof.

(ii) *Seasonal or Special Occasion Temporary Sign*: A sign which is not permanent and is limited to a specific activity or in the celebration of holidays or other special events.

(jj) *Setback*: The minimum horizontal distance between the property line and any part of the sign. On dedicated streets the setback is measured from the right-of-way line, or proposed right-of-way line for streets on the approved District Development Standards and Guidelines of the Pearl River Valley Water Supply District.

(kk) *Sign Enforcement Official*: The authority or officer designated by the General Manager charged with the administration and enforcement of the Code, or his duly authorized representative.

(ll) *Sign Review Committee (SRC)*: The Shoreline Development Committee or its successor shall be the designated committee to approve matters pertaining to the Sign Ordinance aesthetics and appeals of decisions of the Sign Enforcement Official.

(mm) *Sign*: Any identification, description, illustration, mural, painting, decal or other device illuminated or non-illuminated which is visible from any public place or right of way, which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situation merchandise.

The term "Sign" shall further mean and include every device, frame, letter, figure, character, mark, point design, picture, trademark, or reading matter which is used or intended to be used to attract attention or convey information when the same is placed out of doors in view of a public place or right of way. The term "Sign" shall also include any sign that shall be painted, printed, or otherwise affixed to or placed on the wall or roof of any building, fence or other structure.

The term "Sign" shall not include decorative devices or emblems which may be displayed at residential doors, windows, or main boxes. Also not included are yard or building decorations associated with legal holidays or political campaigns, provided no business logo, name or advertising message is displayed.

(nn) *Sign Structure*: Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

(oo) *Size*: Determination of the measured area of a sign including the mounting surface where it can be determined. In the case of lettering on a wall, size shall be determined by the measured area of the letters and the space between letters.

(pp) *Street*: A public thoroughfare which affords the principal means of access to abutting property.

(qq) *Street Banner*: A temporary sign composed of light-weight material either enclosed or not enclosed in a rigid frame.

(rr) *Temporary Sign*: A sign which is allowed in addition to permanent sign for a specific period of time. Permanent and temporary do not refer to method of attachment for purpose of this Ordinance.

(ss) *Traffic Directional Sign*: Any sign which aids the flow of traffic.

(tt) *Use*: The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.

(uu) *Visibility Triangles*: A triangular shaped portion of land established at street intersections or driveways in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorist entering or leaving the intersection or driveway.

(vv) *Wall Sign*: A sign at the wall of a building with the face parallel to and within 12 inches of the plane or building wall.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

## **Part 209 Chapter 2: Permits and Fees.**

### *Rule 2.1 Permits.*

(a) All permanent signs regulated under this Ordinance shall require a permit. All signs permitted under this Ordinance shall be subject to the approval of the Sign Review Committee, except for certain temporary signs in single family districts.

(b) All temporary signs requiring a permit may be approved and granted by the Sign Enforcement Official for a period of time as specified by the applicable section of this Ordinance. Any request for extensions over the specified allowed time must be approved by the Sign Review Committee. All temporary signs shall be limited to a maximum period of six (6) months.

(c) Permits for all existing regulated signs must be obtained within one year of the effective date of this Ordinance or must be removed within one year if no permit is obtained. See Part 209 Chapter 6 for regulation concerning Non-Conforming Signs.

(d) No sign shall be erected, altered, or relocated without a permit, except as otherwise provided herein. Electrical permits as required shall be obtained at the same time as the sign permit.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 2.2 Applications.* Applications shall be filed with the District on forms provided by the District. The permit application shall contain the location of the sign structure, sign type requested, the name and address of the sign owner and of the sign erector, drawings showing the design, location, materials, finishes of the sign and such other pertinent information as the Sign Review Committee may require to insure compliance with the Ordinances and requirements of the District. The District will maintain a record of all applications and permits. A separate application form shall be submitted for each sign to be erected.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

### *Rule 2.3 Fee Establishment.*

(a) Fees for sign permits shall be as fixed by the Board.

(b) Fees:

(i) Permanent signs –

(1) Each owner shall pay only one permit fee per property, but shall submit separate applications for each sign to be erected.

(2) Commercial retail centers (shopping center, malls, offices, complexes, etc.) shall be required to submit a fee and applications

for the overall development and for each tenant within the property who desires to erect a sign.

(3) An application fee is hereby established to be \$20.00, which fee shall cover the submission of applications for a period of one year from the date of the payment.

(ii) Temporary signs - No fee required.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 2.4 Nullification.* A sign permit shall become null and void if (1) the work for which the permit was issued has not been completed within a period of six (6) months after the date of the permit; (2) the sign varies in any respect from the approved design or location. A new application with fee is required in the event of any nullification.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 2.5 Permit Exception.*

(a) Federal, State, County or City regulatory signs. Traffic control signs placed in conformance with manual uniform traffic control devices (MUTCP).

(b) Utility company standard markers, or warning signs denoting utilities will not require a permit.

(c) The following operations shall not be considered creating a sign and, therefore, shall not require a sign permit:

(i) Maintenance: repainting, cleaning and other normal maintenance to prolong the life of the sign as originally approved.

(d) Decals, numerals, names, addresses, hours, credit information, etc., attached to doors or windows and all of which occupy a total area of one (1) square foot or less are excluded from this Ordinance.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

### **Part 209 Chapter 3: Requirements for Permanent Signs.**

*Rule 3.1 General.*

(a) Permissible Signs: Only permanently located signs as described herein and as may be described under Temporary Signs will be permitted in the District, except for public signs, County, State and Federal regulatory signs.

(b) Existing Signs: Permanent signs which were lawful before the effective date of this Ordinance but which now would not be permitted under the terms of this Ordinance must conform to Part 7 Chapter 6.

(c) Construction: All signs shall conform with the pertinent requirements of the current Standard Building Code and current National Electrical Code.

(d) General Provisions: There shall be provided a minimum unobstructed view across the visibility triangle formed by joining points measured 30 feet distant along the property line from the intersection of two streets or the intersection of the street and commercial drive and a minimum of 20 feet for subdivision and multifamily signs. A greater setback may be required when necessary to achieve proper sight distance. Within the area of the visibility triangle there shall be no sight-obscuring or partly obscuring wall, fence, sign or foliage higher than 30 inches above curb grade or in case of trees, foliage lower than 6 feet. Vertical measurement shall be made at the top of the curb on the street or alley adjacent to the nearest street of the triangle or if no curb exists, from the edge of the nearest traveled way.

(e) Landscaping: The base of all ground signs shall be fully landscaped with plants and/or shrubbery in all directions not less than the dimensional width of the sign.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 3.2 Single Family Residential and Applicable PUD Areas.*

(a) General: This section of the Ordinance shall apply to Single Family Residential and PUD areas.

(b) Allowable Signs:

(i) Subdivision Identification Sign - Two subdivision identification signs shall be allowed at each major entrance.

(ii) Temporary Signs - See Part 209 Chapter 4.

(iii) Church, Public or Semi-Public Building and Public Park identification signs.

(c) Size:

(i) Subdivision Identification Sign - The area of one face of the sign portion of the subdivision entrance identification shall not exceed twenty-five (25) square feet. In no case shall total sign area exceed fifty (50) square feet regardless of the number of faces.

(ii) Temporary Signs – See Part 209 Chapter 4.

(iii) Church, Public or Semi-Public Building or Park Signs –

(1) On-premises signs - at the location of said facility, shall be as permitted under Subdivision Identification Signs above.

(2) Off-premises signs - shall not exceed four (4) square feet per face of sign, with two (2) faces back to back maximum.

(d) Location:

(i) Subdivision Identification Sign - shall be set back a minimum of twenty (20) feet from the face of the curb or edge of the pavement of any arterial street. See Part 209 Rule 3.1 for sight distance regulation and landscaping.

(ii) Temporary Signs – See Part 209 Chapter 4.

(iii) Church, Public or Semi-Public Building or Park Signs - See Part 209 Rule 3.1 for sight distance regulation and landscaping.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 3.3 Multi-Family Residential and Applicable PUD Areas.*

(a) General: This section of the Ordinance shall apply developments designated as Multi-Family Residential or applicable PUD areas.

(b) Allowable Signs:

(i) A wall sign face mounted on building wall provided said wall contains the main entrance and store front of the business or occupant and faces a public street. The following wall signs may also be allowed.

(1) Sign on other wall of occupant in lieu of or in combination with sign on wall containing a main exterior entrance.

(2) More than one sign when there is more than one entrance.

(ii) Ground Mounted Identification Sign - One ground mounted sign shall be allowed per project, except where the project fronts on two or more major or collector streets. A ground mounted sign shall be allowed for each street frontage provided the project has a traffic entrance on the frontage. Each sign shall be landscaped with shrubs, ground cover or seasonal plants.

(iii) Traffic Directional Signs.

(iv) Temporary Signs.

(v) Changeable Copy Signs - as approved by the Sign Review Commission for schools and churches only. Changeable copy must be enclosed and secured against vandalism.

(c) Size:

(i) Wall Sign - same as Ground Mounted Identification Sign.



(ii) Ground Mounted Identification Sign - in lieu of or in combination with Wall Signs - The sign area of one face shall not exceed twenty-five (25) square feet. In no case shall the total sign area exceed fifty (50) square feet regardless of the number of faces.

(iii) Traffic Directional Signs - shall not exceed a maximum total area of one hundred twenty-eight (128) square inches per face (8" by 16") with a maximum of one faces per sign, not to exceed a total of two hundred fifty-six (256) square inches. Such signs shall not exceed thirty-one (31) inches above the existing grade.

(d) Location:

(i) Ground Mounted Identification Signs - See Part 209 Rule 3.1 for sight distance regulations and landscaping.

(ii) Traffic Directional Signs - may be located anywhere on the property.

(e) Height of Signs: Height of signs shall be a maximum of eight (8) feet as measured from surrounding grade.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 3.4 Commercial Developments.*

(a) General: This section of the Ordinance shall apply to Commercial Developments.

(b) Allowable Signs:

(i) A wall sign for each business face mounted on building wall provided said wall contains the main entrance and store front of the business or occupant and faces a public street. The following wall signs may also be allowed.

(1) Sign on other wall of occupant of or in combination with sign on wall containing a main exterior entrance.

(2) More than one sign when there is more than one entrance.

(3) Signs to designate different specialty departments within a large multi-use business, provided total square footage of signage does not exceed maximum allowed.

(ii) Ground Mounted Signs - In no case shall more than one ground mounted sign be allowed per street frontage.

(1) For building, tenant or project identification in lieu of or in combination with wall signs - one sign is allowed for each street frontage.

(2) Multi-tenant sign for building or development and tenant identification for office buildings, office parks and professional complexes only. In lieu of or in combination with wall signs - One ground mounted sign is allowed for each street frontage.

(iii) Traffic/Intra-site Directional Signs - Two (2) are allowed at each vehicular entrance to property.

(iv) Changing Signs (Automatic) - automated changing signs which provide community event information, time and temperature, in addition to advertisement. Sign may not change more than once every 60 seconds and change must be completed in one (1) second.

(v) Changeable Copy Signs for Schools and Churches.

(vi) Regulator Information Signs - such as gasoline pump use directions, Federal and State stamps, octane ratings, and no smoking signs as required by Federal, State, County and City authorities.

(vii) Temporary Signs.

(viii) Canopy Signs.

(c) Size:

(i) Wall Signs -

(1) Business establishments whose building is located less than 200' from the street on which it fronts may have a wall sign not to exceed 1.5 square feet per one (1) foot of linear feet of street frontage with the maximum allowed not to exceed fifty (50) square feet.

(2) Business establishments whose building is located more than two hundred feet (200') from the street on which it fronts may have one wall sign not to exceed 2.5 square feet per one foot of linear feet of street frontage with the maximum allowed not to exceed one hundred (100) square feet. Large multi-use businesses such as a regional grocery store (with individual departments) may use individual department signs but the total square footage of all signage shall not exceed two hundred (200) square feet.

(ii) Ground Mounted Signs - in lieu of or in combination with Wall Signs - shall conform to Part 209 Rule 3.4 (c) (i) above. Ground mounted signs shall not

exceed forty (40) square feet per face and total sign area shall not exceed eighty (80) square feet total of all faces.

(iii) Changeable Copy - If the occupant elects to use changeable copy, only one of the signs, wall or ground sign, may have changeable copy. No more than 30% of the allowable square footage of the ground or wall sign shall be changeable copy.

(iv) Traffic Directional Signs - shall not exceed a maximum total area of one hundred twenty-eight (128) square inches per face (8" by 16") with a maximum of two (2) faces per sign, not to exceed a total of two hundred fifty-six (256) square inches for signs denoting "enter" or "exit." Signs denoting intra-site directions should not exceed a single face side of twenty-six inches by fifteen inches (26" by 15"), with two (2) faces (back to back) allowable. Intra-site directional signs shall have letters, numbers, or graphics no larger than two inches (2") in height, and no more than forty percent (40%) of the face may be blank. Lettering for "enter" or "exit" signs shall not exceed three and one-half inches (3 1/2") in height. Such signs shall not exceed thirty-One inches (31") above existing grade.

(v) Canopy Signs - in lieu of or in combination with wall signs and ground mounted signs shall conform to the restrictions set forth in Part 209 Rule 3.4 (c) (i) and (ii).

(vi) Multi-tenant sign - overall sign size is to follow same wording as rules governing grounded mounted signs. Individual tenant signs shall be as follows:

(1) All lettering shall be uniform for all tenants' names with a letter height of three (3) inches. Lettering of the tenant's names shall be in capital letters only.

(2) Color of background and letters shall be uniform on entire sign with dark background and light letters. If more than one sign is used, as in the case of a corner with two (2) frontages, both signs shall be uniform in colors.

(3) Individual tenant signs shall be mounted to the main sign. In no case shall individual tenant signs be allowed to hang from the main sign. Individual tenant signs must be identical in size, shape, material and color. The size of tenant signs shall be no taller than nine (9) inches and shall be the width of the main sign background.

(d) Location:

(i) Wall Signs - All signs shall be face mounted on the building wall. Wall Mounted Signs shall not project more than twelve (12) inches from the face of the building. Signs shall not project above the roof line unless incorporated in the roof design and only if approved by the Sign Review Committee.

(ii) Ground Mounted Identification Signs - See Part 209 Rule 3.1 for setback and sight distance regulations and landscaping.

(iii) Height of Ground Mounted Identification Sign - shall be a maximum of eight (8) feet as measured from surrounding grade.

(iv) Traffic/Intra-site Directional Signs - shall be located a minimum of One foot from the right-of-way (existing and/or proposed, whichever is greater) of any street. Such signs shall not exceed thirty-One inches (31") above existing grade. Intra-site directional information (words other than "enter" or "exit") shall be allowed only to owners with One business or single use per property.

(v) Canopy Signs - bottom of sign shall have a minimum of seven (7) feet clearance from finish grade directly below.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 3.5 Service Stations.*

(a) General: A section of the Ordinance shall apply to only those properties engaged in the retail gasoline and petroleum products business.

(b) Allowable Signs:

(i) One ground mounted illuminated brand identification and price sign per street frontage.

(ii) One wall mounted sign.

(iii) One non-illuminated permanent price sign per pump island.

(iv) One non-illuminated Self-Service or Full Service signs per pump island.

(v) Federal and State stamps, octane ratings, pump use directions, no smoking signs as required by Federal, State and local authorities.

(vi) Project, tenant or product identification will not be allowed on traffic directional signs, unless the Sign Review Committee agrees such identification is essential to directing traffic.

(c) Size:

(i) Brand Identification Signs:

(1) Wall Signs - a maximum total sign area of forty (40) square feet, or one-half (1/2) square foot for each lineal foot of building frontage on a public street, whichever results in the smaller sign area with a minimum of twenty (20) square feet.

(2) Ground Mounted Sign - where one (1) ground mounted sign is allowed the allowable square footage would be forty (40) square feet per face for a total of eighty (80) square feet.

(ii) Price Signs - a maximum total sign area of sixteen (16) square feet and no more than eight (8) square feet per face.

(iii) Self-Service Signs and/or Full Service Signs - a maximum total area per sign of one hundred sixty (160) square inches.

(iv) Federal and State stamps, octane ratings, pump use directions, no smoking signs and other mandatory signs and stamps shall be as required by the governing authority.

(d) Location:

(i) Brand Identification Signs.

(1) Wall Signs - all signs shall be faced mounted on the building wall unless approved otherwise by the Sign Review Committee. Wall signs shall not project more than twelve (12) inches from the face of the building. Signs shall not project above the roof line or be mounted on any part of the roof.

(2) Ground Mounted Signs - See Part 209 Rule 3.1 for setback and sight distance regulations and landscaping.

(3) Height of Signs - shall be a maximum of eight (8) feet as measured from surrounding grade.

(ii) Price Signs - price signs shall be attached to pump island.

(iii) Self-Service Signs - Self-service signs shall be attached to pump or pump island.

(iv) All No Smoking Signs, Federal and State stamps, octane rating, and pump use directions shall be placed on the body of the gasoline pump.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

**Part 209 Chapter 4: Temporary Signs.**

*Rule 4.1 Residential Districts and Applicable PUD Areas.*

(a) General: This section shall apply to Single Family Residential and applicable PUD areas.

(b) Allowable Temporary Signs:

(i) Temporary Signs Requiring Permit:

(1) Construction signs except as allowed under subsection (b) (ii) of this section.

(2) Real estate signs except as allowed under subsection (b) (ii) of this section. One sign per street frontage.

(3) Off Premises Real Estate Signs

(a) New real estate developments with three or more lots for sale on District property shall be allowed one (1) sign at the entrance to the subdivision to advertise lots for sale for a period of two (2) years.

(b) Real estate developments with three or more lots for sale not on District property, but with reservoir access through District property, must obtain written permission from the District in order to place a sign on District property, within their easement only.

(4) Signs Announcing Openings - one sign per street frontage.

(5) Subdivision Identification Signs - one sign per street frontage.

(6) Street banners as approved by the Board for the purpose of advertising a public event.

(ii) Temporary signs not requiring approval or permit, but subject to the requirements of this section.

(1) Construction signs for single-family and two-family residences.

(2) Real estate sign for sale or lease of a single-family, two-family residence or individual lot.

(3) Private sale signs provided they are erected no earlier than five (5) days prior to the sale.

(4) Yard of the Month sign.

(5) Miscellaneous yard signs.

(c) Size:

(i) Construction Signs - the sign area of one face shall not exceed nine (9) square feet for a residence or twenty-five (25) square feet for a multi-family project of five (5) units or more. In no case shall the total sign area exceed eighteen (18) square feet for a residence or fifty (50) square feet for a multi-family project of five (5) units or more.

(ii) Real Estate Signs

(1) Single-family, Two-family or Multi-family Developed Lots - the sign area of one face shall not exceed nine (9) square feet. In no case shall the total sign area exceed eighteen (18) square feet.

(2) Undeveloped Tracts of Three (3) acres or More - the sign area of one face shall not exceed fifty (50) square feet.

(3) Off premises real estate signs shall not exceed twenty (20) square feet nor be more than five (5) feet high.

(iii) Signs Announcing Openings - the sign area of one face shall not exceed twenty-five (25) square feet. In no case shall the total sign area exceed fifty (50) square feet.

(iv) Subdivision Identification Signs - the sign area of one face shall not exceed twenty-five (25) square feet. In no case shall the total sign area exceed fifty (50) square feet.

(v) Private Sales Signs - the sign area of one face shall not exceed four (4) square feet. In no case shall the total sign area exceed eight (8) square feet.

(vi) Yard of the Month Signs - the sign area of one face shall not exceed four (4) square feet. In no case shall the total sign area exceed eight (8) square feet.

(vii) Miscellaneous Yard Signs - the sign area of one face shall not exceed four (4) square feet. In no case shall the total sign area exceed eight (8) square feet.

(d) Location: See Part 209 Rule 3.1 for setback and sight distance regulations and landscaping.

(i) Construction signs for a single-family or two-family residence may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet as measured from surrounding grade. Construction signs for multi-family projects of five (5) units or more shall be set back a minimum of twenty (20) feet from the property line. Height of sign shall be maximum of eight (8) feet as measured from surrounding grade.

(ii) Real estate signs may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet as measured from surrounding grade.

(iii) Signs announcing openings shall be set back a minimum of twenty (20) feet from face of curb or edge of pavement of any street. Height of sign shall be a maximum of eight (8) feet above the surrounding grade. A sign shall be allowed on each street frontage.

(iv) Subdivision identification signs shall be located a minimum of twenty (20) feet from the face of curb or edge of pavement of any street. Height of sign shall be a maximum of eight (8) feet as measured from surrounding grade.

(v) Political signs shall be located on occupied lots only. Signs may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet as measured from surrounding grade.

(vi) Private sale signs shall be located on occupied lots only. Signs may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet from surrounding grade.

(vii) Yard of the Month signs may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet as measured from surrounding grade.

(viii) Miscellaneous yard signs shall be located on occupied lots only. Signs may be located anywhere on the property. Height of sign shall be a maximum of four (4) feet as measured from surrounding grade.

(e) Removal of Temporary Signs:

(i) Construction signs shall be removed upon expiration of the sign permit.

(ii) Real Estate signs shall be removed within seven (7) days after the closing of the complete sale, rental or lease of the premises.

(iii) Signs announcing openings shall be limited to a thirty (30) day period.

(iv) Subdivision identification signs shall be removed upon expiration of sign permit.

(v) Political signs shall be removed within one (1) day after the day of election.

(vi) Private sale signs shall be removed within one (1) day after the sale.



(vii) Yard of the Month sign shall be removed at the expiration of award period.

(viii) Miscellaneous yard signs - are not regulated.

(ix) Temporary signs erected without approval as allowed by Part 209 Rule 4.1 (b) (ii) are subject to removal if the Sign Review Committee finds the signs to be detrimental to the appearance or character of the area in which they are erected.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 4.2 Commercial and Applicable PUD Areas.*

(a) General: This section of the Ordinance shall apply to all non-residential districts.

(b) Allowable Temporary Signs:

(i) Temporary Signs Requiring Permit:

(1) One construction sign per project.

(2) One real estate sign per street frontage or two signs side by side not exceeding the total allowable area.

(3) Street banners.

(4) One sign announcing openings per street frontage.

(ii) Temporary Signs Not Requiring Permit, but subject to requirements of this section.

(1) Show window signs in Commercial Areas.

(2) Seasonal or special occasion signs such as special holiday events and special business hours during holiday periods.

(c) Size:

(i) Construction Signs – (1) for Premises consisting of less than five acres, the total of all faces of the sign shall not exceed fifty (50) square feet; (2) for Premises consisting of more than five acres, construction signs shall not exceed a total square footage per face of ten (10) square feet per acre included in the Premises with a total sign area of all faces not to exceed one hundred fifty (150) square feet.

(ii) Real Estate Signs - the sign area of one face shall not exceed twenty (20) square feet. In no case shall the total sign area exceed forty (40) square feet.

(iii) Street banners as approved by the Sign Review Committee.

(iv) Signs Announcing Openings - the area of one face shall not exceed twenty (20) square feet and the total sign shall not exceed forty (40) square feet.

(v) Show window signs shall not occupy more than fifteen percent (15%) of window opening.

(vi) Seasonal or Special Occasion Signs - the sign area of one face shall not exceed eight (8) square feet, and the total sign area shall not exceed sixteen (16) square feet.

(d) Location:

(i) Construction signs shall be orientated parallel to the public street. They shall be located a minimum of twenty (20) feet from the property line. Height of sign shall be a maximum of eight (8) feet as measured from surrounding grade. Sign shall not be located within fifty (50) feet of an intersection.

(ii) Real estate signs shall be located a minimum of twenty (20) feet from the property line; except at street intersection, signs shall be located a minimum of fifty (50) feet from the intersection of the right-of-way lines. Height of sign shall be a maximum of six (6) feet as measured from the surrounding grade.

(iii) Street banner location as approved by the Board.

(iv) Signs announcing openings shall be located a minimum of twenty (20) feet from the face of curb or edge of pavement of any street; except that at street intersections signs shall be located a minimum of fifty (50) feet from the intersection of the right-of-way lines. Height of sign shall be a maximum of six (6) feet as measured from surrounding grade.

(v) Show Window Signs - show window signs must be located inside the window.

(vi) Seasonal or Special Occasion signs shall be located a minimum of twenty (20) feet from the face of the curb or edge of pavement of any street, except that at street intersections, signs shall be located a minimum of fifty (50) feet from the intersection of the right-of-way lines. Height of sign shall be a maximum of six (6) feet as measured from the surrounding grade.

(e) Removal:

(i) Construction signs shall be removed with One (1) week after substantial completion of the project or installation of any permanent sign, whichever is earlier; however, no construction sign shall remain for a period in excess of twelve consecutive months unless extension is granted by the Sign Review Committee. In order to grant an extension of time, the Sign Review Committee must determine that the sign is not detrimental to the appearance or character of the area in which erected.

(ii) Real estate signs shall be removed within seven (7) days after the closing of the complete sale, rental or lease of the premises.

(iii) Street banners advertising a public event shall be removed within Two (2) days after event.

(iv) Signs announcing openings shall be limited to a thirty (30) day period.

(v) All other temporary signs shall be removed upon expiration of permit.

(vi) Seasonal or special occasion signs shall not be installed more than two (2) weeks prior to the activity described and shall be removed two (2) days after the activity or event.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

#### **Part 209 Chapter 5: Non-Conforming Property Use Signs.**

*Rule 5.1 Non-Conforming Property Use Signs.* Where a legally allowed non-conforming structure, lot, or use exists, new signs shall conform to the district in which the property is located.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

#### **Part 209 Chapter 6: Non-Conforming Signs.**

*Rule 6.1 Intent.* Signs which were legally in existence prior to the adoption of this ordinance which do not conform to the provisions of this ordinance are declared non-conforming signs. It is the intent of this section to recognize that the eventual elimination, as expeditiously and fairly as possible, of non-conforming signs is as much a subject of health, safety and welfare as is the prohibition of new signs that would violate the provisions of this ordinance.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 6.2 Variance From Non-Conforming.* Signs which are legally in existence on the date of adoption of this ordinance which are within ten percent (10%) of being in compliance with the set-back, maximum height and maximum sign area allowances of this ordinance shall be deemed to be in compliance with this ordinance and not non-conforming. However, if any one requirement is greater than the allowances by more than ten percent (10%), the entire sign must be brought into compliance pursuant to the remainder of this Section.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 6.3 General Non-Conforming Sign Provisions.* Subject to the exceptions and amortization schedule hereinafter set forth any non-conforming signs may be continued in

operation and maintenance after the effective date of this ordinance, provided that non-conforming signs shall not be:

- (a) Changed to or replaced with another non-conforming sign including changing the sign face (except on changeable copy signs which comply with this regulation.)
- (b) Structurally altered so as to extend their useful life.
- (c) Expanded.
- (d) Relocated.
- (e) Re-established after damage of more than fifty percent (50%) of the value at the time of such damage or destruction.
- (f) Modified in any way that would increase the degree of non-conformity of such sign.

Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a sign or structure declared unsafe by the Building Inspector. Such signs may be improved only to the extent that such improvement does not exceed fifty percent (50%) of the current market value of the existing sign structure.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 6.4 Termination of Non-Conforming Signs/Amortization Schedule.*

- (a) Any non-conforming sign or sign structure which is partially destroyed by fire, accident, or natural cause beyond fifty percent (50%) of its current market value shall thereafter be removed or reconstructed in conformance to the provisions of this ordinance.
- (b) Any non-conforming sign or sign structure which is improved and altered to comply with the provisions of this ordinance shall thereafter be considered as conforming.
- (c) All other non-conforming signs or aggregate sign conditions, other than outdoor advertising signs, shall be removed, changed, altered or otherwise made to conform according to the following schedule:

(i) All Signs

<u>Original Construction Cost</u>	<u>Amortization Period</u>
0-\$750	1 year
\$751-\$2,750	2 years
\$2,751 to \$5,000	3 years
\$5,001 to \$7,000	4 years
Greater than \$7,000	5 years

(ii) The amortization shall begin as of the initial effective date of this ordinance.

(iii) For the purposes of this Section, existing signs and sign structures prohibited by this ordinance shall be treated as non-conforming.

(iv) The owner or operator of the sign must furnish acceptable proof of the sign's original cost in the form of:

- (1) Original value from sign permit, if available.
- (2) An original bill of sale, including installation costs, and fees.
- (3) Depreciation schedules from federal or state tax returns showing original cost.

(v) Upon the determination of the District that a sign remains non-conforming after termination of the allowable time periods provided for hereinabove, the District shall notify the sign owner and/or the owner of the land on which the non-conforming sign is located and such owner shall have thirty (30) days after such written notice within which to remove said sign. At the end of the thirty (30) day period, if the sign has not been removed or brought into compliance, the sign owner and/or the owner of the land on which the non-conforming sign is located will be guilty of violating the provisions of this ordinance as set forth in Part 209 Chapter 10.

(vi) Abandonment or obsolescence of a non-conforming sign shall terminate immediately the right to maintain such a sign.

(vii) Any non-conforming on-premise sign shall be removed or brought into compliance with this ordinance immediately upon a change in the principal use or ownership of the site.

Source: *Miss. Code Ann.* § 51-9-127 (Rev. 2000)

## **Part 209 Chapter 7: Prohibited Signs.**

*Rule 7.1 General.* The following types of signs are prohibited under this Ordinance:

- (a) Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go slow," "caution," "danger," "warning" or similar words.
- (b) Signs which are of a size, location, movement, content, coloring, manner or illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal.
- (c) Signs which have any moving parts.
- (d) Signs which contain or consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other related items are similarly prohibited, except when allowed by special permit by the Sign Review Committee.
- (e) Interior lighted translucent signs with translucent background and opaque letters.
- (f) Signs which contain reflective type bulbs, pulsating light or strobe light.
- (g) Signs which are made structurally sound by guide wires or bracing.
- (h) Signs which are not expressly permitted by this Ordinance.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

## **Part 209 Chapter 8: Illumination.**

*Rule 8.1 General.* Illuminated signs shall adhere to the following provisions and restrictions in addition to those stated in the sign requirements by zone.

- (a) The light from or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.
- (b) No sign shall have blinking, flashing or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color. Beacon lights are not permitted.
- (c) No colored lights shall be used at any location in any manner so as to be confused with or construed as traffic control devices.
- (d) Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- (e) Exposed bulbs shall not be used on the exterior surface of any signs, except when approved by the Sign Review Committee.

(f) Interior lighted individual translucent letters, numerals, logos, and graphic symbols, or interior lighted signs with translucent letter, logos and graphic symbols, are allowed for the uses listed below provided that the specific location of the light source within the sign cannot be seen or determined when the lights are in operation.

Additionally, when interior lighted signs are utilized, the background shall be opaque. Attachment of illuminated letters or signs to the building facade shall be approved by the Sign Review Committee.

(i) Ground mounted signs in commercial and industrial zoned areas for the purpose of building or business identification and logos only.

(ii) Wall signs for the purpose of building or business identification and logos only.

(g) Electrical requirements for all signs shall conform to the pertinent requirements of the current National Electrical Code.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

## **Part 209 Chapter 9: Inspection, Removal and Safety.**

*Rule 9.1 Inspection.* All signs shall be inspected at least annually by the Sign Enforcement Official or his delegate compliance with this Ordinance.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 9.2 Permit Number Display.* All signs requiring a permit shall display, in the lower right hand corner, the sign permit number and expiration date (where applicable) in lettering and numerals three-fourths inches (3/4") in height.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 9.3 Maintenance.* All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 9.4 Removal of Sign.* The Sign Enforcement Official shall give written notice for the removal of any permanent sign erected or maintained in violation of this Ordinance. Upon failure to comply with this notice within thirty (30) days, the Sign Enforcement Official shall remove the sign. Temporary signs erected or maintained in violation of the Ordinance may be removed by the Sign Enforcement Official without notice. The Sign Enforcement Official shall remove any sign immediately and without notice if the sign presents an immediate threat to the safety of the public. Any cost of sign removal shall be at the expense of the property owner. See Part 209 Chapter 4 for additional removal requirements for temporary signs.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 9.5 Abandoned Signs.* A sign shall be removed by the owner when the business which it advertises is no longer conducted on the premises. If the owner fails to remove the sign, the Sign Enforcement Official shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the Sign Enforcement Official shall have the sign removed at the expense of the property owner.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

## **Part 209 Chapter 10: Administration and Penalties.**

*Rule 10.1 Enforcement.* The Sign Enforcement Official is hereby authorized and directed to enforce all of the provisions of this Ordinance. Upon presentation of proper credentials, the Sign Enforcement Official or his duly authorized representative may enter at reasonable times any building, structure, or premises on the District property to perform any duty imposed upon him by this Ordinance. The Sign Review Committee shall be appointed by the Board.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 10.2 Variances.* A variance may be granted by Sign Review Committee for location of signs only.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 10.3 Appeal from Decision of the Sign Enforcement Official.* The decision of the Sign Enforcement Official may be appealed to the Sign Review Committee. Decisions of the Sign Review Committee may be appealed to the General Manager. All appeals shall be submitted in writing to the Sign Enforcement Official within thirty (30) days of the decision. The Appellant shall sight the specific Sign Ordinance rule applicable to the decision rendered and the grounds for the appeal of the decision. The Sign Review Committee must render a written decision on appeal within thirty (30) days of receipt of the appeal by the Sign Enforcement Official, and the matter will then be forwarded to the General Manager for a decision. The General Manager will render a written decision within sixty (60) days of receipt of the appeal from the Sign Enforcement Official unless there is a mutual agreement for a time of extension. The appeal of the decision of the General Manager shall be as provided by law.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 10.4 Penalties.* Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than Fifty Dollars (\$50.00). Each day's continuance of a violation shall be considered a separate offense and punishable as such. The owner of any sign, building or premises, or part thereof, where anything in violation of this Ordinance shall be placed, or shall exist, and any person who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)



*Rule 10.5 Severability.* If any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared invalid.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 10.6 Current Regulations Control.* All Regulations heretofore adopted on the subject of these Regulations are hereby repealed, and the provisions of this Regulation are substituted in the place thereof.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)

*Rule 10.7 Effective Date.* This Ordinance shall be in force and take effect thirty (30) days from and after its adoption.

Source: *Miss. Code Ann. § 51-9-127* (Rev. 2000)